

**IN THE EASTERN CARIBBEAN SUPREME COURT  
HIGH COURT OF JUSTICE  
BRITISH VIRGIN ISLANDS  
COMMERCIAL DIVISION**



**CLAIM NO: BVI HC (COM) 2010/107**

**BETWEEN:**

**Trade and Commerce Bank (In Official Liquidation)  
(a company incorporated in the Cayman Islands)**

**Claimant**

**and**

**Kesten Development Corporation**

**Defendant**



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**ORDER**

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**Before:** The Honourable Justice Edward Bannister QC

**Dated:** 14 September 2010

**Entered:** 15 September 2010

**UPON** hearing William Hare for the Claimant

**IT IS HEREBY ORDERED THAT:**

1. Judgment be entered for the Claimant, pursuant to Rule 12.4 of the CPR, in default of acknowledgment of service;
2. The Defendant shall pay to the Claimant the sum of US\$15,936,369.00; and
3. The Defendant is to pay the Claimant's costs to be assessed.

**BY THE COURT**

**Registrar**

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**Forbes Hare**

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**Legal Practitioners for the Claimant**